

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

VICTAULIC COMPANY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 20-887 (GBW) (JLH)
	)	
ASC ENGINEERED SOLUTIONS, LLC,	)	
	)	
Defendant.	)	

**PLAINTIFF VICTAULIC COMPANY'S NOTICE OF APPEAL**

Pursuant to Federal Rule of Appellate Procedure 3(a), notice is hereby given that Plaintiff Victaulic Company ("Victaulic"), appeals to the United States Court of Appeals for the Federal Circuit from this Court's Judgment Following Jury Verdict (D.I. 359) entered on May 8, 2023 and the Partial Judgment (D.I. 153) entered on November 22, 2021, and any and all other underlying orders, opinions, rulings, findings, or conclusions, including the October 18, 2021 Claim Construction Order (D.I. 124), the Court's November 28, 2022 Memorandum Opinion (D.I. 288), and the Court's May 8, 2023 Oral Order (D.I. 358).

Victaulic hereby notifies the clerk of court of the United States Court of Appeals for the Federal Circuit that Victaulic previously filed a consolidated post-trial motion (D.I. 360) pursuant to Federal Rules of Civil Procedure 50(b), 59, and 60 on June 5, 2023. This post-trial motion is a motion listed in Federal Rule of Appellate Procedure 4(a)(4)(A), so Victaulic understands that pursuant to Federal Rule of Appellate Procedure 4(a)(4)(B)(i), this notice of appeal will become effective when the district court fully disposes of that pending post-trial motion.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

*/s/ Anthony D. Raucci*

OF COUNSEL:

Kenneth E. Keller  
Colin T. Kemp  
Christopher E. Stretch  
Alekszander Morton  
Surui Qu  
PILLSBURY WINTHROP SHAW  
PITTMAN LLP  
Four Embarcadero Center, 22nd Floor  
San Francisco, CA 94111  
(415) 983-1084

Bryan P. Collins  
Benjamin L. Kiersz  
PILLSBURY WINTHROP SHAW  
PITTMAN LLP  
1650 Tysons Boulevard, 14th Floor  
McLean, VA 22102-4856  
(703) 770-7900

June 7, 2023

---

Brian P. Egan (#6227)  
Anthony D. Raucci (#5948)  
1201 North Market Street  
P.O. Box 1347  
Wilmington, DE 19899  
(302) 658-9200  
began@morrisnichols.com  
araucci@morrisnichols.com

*Attorneys for Plaintiff Victaulic Company*

**CERTIFICATE OF SERVICE**

I hereby certify that on June 7, 2023, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on June 7, 2023, upon the following in the manner indicated:

Kenneth L. Dorsney, Esquire  
Cortlan S. Hitch, Esquire  
MORRIS JAMES LLP  
500 Delaware Avenue, Suite 1500  
Wilmington, DE 19801  
*Attorneys for Defendant*

*VIA ELECTRONIC MAIL*

Todd E. Jones, Esquire  
Jeffrey R. Kuester, Esquire  
Coby S. Nixon, Esquire  
Seth K. Trimble, Esquire  
Kelly Mullally, Esquire  
Cory M. Mull, Esquire  
TAYLOR ENGLISH DUMA LLP  
1600 Parkwood Circle, Suite 200  
Atlanta, GA 30339  
*Attorneys for Defendant*

*VIA ELECTRONIC MAIL*

*/s/ Anthony D. Raucci*

---

Anthony D. Raucci (#5948)